



## Court Interpreter Orientation May, 2010

The following questions were recently asked at Interpreter Orientation:

### Oral Certification Exam

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- Q. In the Sight Translation portion of the oral exam, I have a question about the foreign language document that we must sign translation into English. Will it be specified from what country/national/geographic origin this document comes?
- A. *No. The base texts which serve as the starting point for developing the parts of the sign translation section are selected, if possible, from documents actually used by a court and originally written in the source language. A linguistic review is completed to ensure that the text is dialect-free and does not contain regional varieties that might not be recognized by all speakers of the language.*
- Q. During the oral exam if we back-track, but get it right the second time, are points subtracted from our score?
- A. *If an interpreter provides two renditions, the raters are instructed to ignore the first and only evaluate the second. For example, if the candidate interprets into English: "After going to the bar.. after going to the restaurant he received a phone call." The rater would evaluate whether the word "restaurant" is correct. If the correct translation was actually "bar," it would be counted as incorrect.*
- Q. Do we have to read any document in a foreign language during the test? Because I cannot read one of the languages but am able to speak fluently.
- A. *For interpreters seeking to become court certified, you must pass the sight translation portion of the oral exam which requires you to interpret into English a document written in the foreign language, and vice versa. So yes, to pass the exam you must be able to read in the foreign language. Candidates for the registered status do not currently have such an exam available in their languages.*
- Q. As I understand, not all languages can be simultaneously interpreted because of the sentence structure specifics. What do we do in this case?
- A. *All languages can be simultaneously interpreted, though some are much more challenging than others due to linguistic and grammatical reasons. All interpreters must develop decalage or lag time to accommodate for these linguistic variances.*

## Process for Becoming Certified or Registered

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- Q. How do you register for oral exams for multiple languages?
- A. *Interpreters may become certified and/or registered in multiple languages if they pass the appropriate exams in those languages. You will have to pay the full amount per test per language.*
- Q. After passing the written test, how long can one wait to take the oral certification exam?
- A. *The Washington Court Interpreter Program administers the written exam in February and the oral certification exam in September. After passing the written exam, the certification candidate has three years to pass the oral exam. If the candidate fails to do so and wants to continue pursuing certification, he/she must re-take the written exam to start the process again.*

*For example, Fred wants to be a certified Russian interpreter. He passes the written exam in 2009. In September 2009 he is taking a month-long trip to Hawaii, so he doesn't take the oral exam. In August 2010 he realizes that he forgot to register for the oral exam, and registration is closed. He takes the oral exam in September 2011 and passes sight translation, but not simultaneous or consecutive. If Fred wants to continue pursuing certification, he must retake the written exam in February 2012, attend Orientation in 2012, and retake the entire oral certification exam.*

- Q. How different is the testing for Immigrant and Federal Courts? What is the process of taking the federal certification exam?
- A. *The processes for becoming certified for the Federal Courts or Immigration Court are completely separate and distinct from the process for becoming certified or registered in Washington Courts. For details, please contact their interpreter programs.*
- Q. Is there a criminal background check? If so, do felonies or crimes on one's case history prevent someone from becoming court certified?
- A. *All certified and registered interpreters undergo a criminal background check after passing the oral exam. A misdemeanor, gross misdemeanor or felony conviction may be grounds for denial of certification of a candidate, but does not automatically disqualify someone from becoming certified or registered. A candidate's history of criminal convictions will be reviewed by the Issues Committee of the Interpreter Commission, which will consider the relevance of the criminal history to the profession of*

*court interpreting, the period of time since the conviction date(s) and any evidence of rehabilitation submitted by the candidate.*

Q. What are the requirements to maintain your certification once you've become certified?

A. *Every two years certified interpreters must report sixteen continuing education credit hours, twenty interpreting hours, and renew their sworn oaths. Every two years registered interpreters must report ten continuing education credit hours and renew their sworn oaths. For both certified and registered interpreters, at least two of the continuing education credit hours must be attributable to ethics classes.*

## **Ethical Conduct**

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Q. How should I deal with profanity when interpreting?

A. *As stated in the Code of Conduct, "A language interpreter shall interpret or translate the material thoroughly and precisely, adding or omitting nothing, and stating as nearly as possible what has been stated in the language of the speaker..." You deal with profanity the same way you deal with any other language. Interpret all material accurately.*

Q. At my first working experience in court, if I got there and just "froze" what do I do?

A. *As stated in the Code of Conduct, "When a language interpreter has any reservation about the ability to satisfy an assignment competently, the interpreter shall immediately convey that reservation to the parties and to the court." If you are unable to interpret for any reason, you must interrupt the proceeding and explain that to the judge. Remember, you are interpreting so that the non-English speaker has access to justice. Your inability to interpret accurately denies him/her that access. While it may be embarrassing to make such an admission, you're ethically required to do so. Don't accept courtroom assignments until you're ready. Prior to accepting any assignments, spend a lot of time observing in court so that you're properly prepared.*

Q. What if the judge makes a statement that has nothing to do with the case? Like once, after we went on the record he said "Oh, Mr. X (the attorney), how did your surgery go?" The attorney replied "I think I am going to live a little longer than we thought." Are we supposed to interpret this?

A. The Code of Conduct for Court Interpreters states "A language interpreter shall interpret or translate the material thoroughly and precisely, adding or omitting nothing..." The interpreter should interpret this exchange and should not omit information that he/she feels is irrelevant to the case. Interpreters provide equal linguistic footing for limited English proficient court customers. So think of it in

these terms – wouldn't an English speaking litigant hear the same information? If so, interpret it.

## **Payment and How to Get Jobs and Working in Court**

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Q. How much is a certified or registered court interpreter paid per hour?

A. *There is no statewide payment policy for court interpreters and payment rates may vary from court to court. However, many courts pay certified and registered interpreters \$40 - \$50 per hour.*

Q. Is there a database of interpreters that the courts use – where do they find the interpreters?

A. *Once an interpreter becomes certified or registered, his/her name and contact information is made available to the courts and the public at [www.courts.wa.gov/interpreters](http://www.courts.wa.gov/interpreters). Courts also use a variety of other resources to find interpreters when the AOC listing doesn't meet their needs.*

Q. In conference interpreting, simultaneous interpreters take turns because it is so intense. In a court, is there always only one interpreter? Seems like it could be draining. How long does a typical session last and how many hours in a row would the simultaneous work continue?

A. *The national standard is to perform courtroom interpretation in teams of two for trials or hearings that last more than two hours. While some Washington courts follow this standard, others may not. Yes, interpreting for such lengths of time is draining, and studies have shown that interpreters' accuracy level will diminish. If you are offered an assignment for a hearing or trial that will last more than two hours, ask the interpreter scheduler about interpreting in a team.*

Q. If there are two interpreters in a trial, does one interpreter get paid for the entire time she/he is there or only for the time she/he is interpreting?

A. *The industry standard is to pay interpreters for their full time at the assignment, whether interpreting in a team or not. If a team of two interpreters is hired for an eight hour trial, then both interpreters should be paid for eight hours.*

*If you are ever assigned to a team, while the other interpreter is interpreting, you should never go check your cell phone, take a bathroom break, or leave the courtroom. Team interpreting requires participation by both interpreters – the active interpreter and the passive interpreter. For more details on team interpreting, please see the NAJIT Position Paper entitled Team Interpreting in the Courtroom, available in the Publications section at [www.najit.org](http://www.najit.org).*

Q. How often do you use wireless equipment?

- A. *This practice varies from court to court.*
- Q. Why is there no common website for all courts where they can publish cases that need interpreters and where we can assign ourselves to?
- A. *Interpreter scheduling is handled by a court-by-court basis. In some counties there may be some centralizing of interpreter scheduling, but typically it is handled individually by each court. Some courts have online scheduling, while most don't. Contact local courts in your area to find out how they handle interpreter scheduling.*
- Q. Who pays for interpreter services outside court when a non-English speaking defendant speaks with their attorney?
- A. *There is no easy answer to this question, as practices vary from court to court, and standards may likely be different for government-appointed attorneys versus privately contracted attorneys. However, typically, an interpreter who is hired for a court proceeding is also expected to interpret for attorney/client conversations occurring immediately prior to or after a court hearing. Please check with the court's interpreter scheduler to verify.*